

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TEXAS**
(Sherman Division)

Vicki Baker,

Plaintiff,

v.

City of McKinney, Texas,

Defendant.

Case No.: 4:21-CV-0176-ALM

PLAINTIFF'S REELECTION OF REMEDY

Plaintiff Vicki Baker respectfully submits this Reelection of Remedy.

1. On June 22, 2022, a jury awarded Plaintiff Vicki Baker \$59,656.59 in compensation. Although this Court found the Defendant City of McKinney liable under the both the Texas and United States Constitutions, (ECF 51 at 34), Baker elected to recover her compensation under 42 U.S.C. § 1983. This Court entered judgment, including pre- and post-judgment interest and court costs. (ECF 71.)

2. A Fifth Circuit panel reversed that judgment, without “reach[ing] whether she succeeds under the Texas Constitution.” 84 F.4th 378, 388 (5th Cir. 2023). On November 25, 2024, the United States Supreme Court denied Baker’s petition for a writ of certiorari.

3. Accordingly, Plaintiff Vicki Baker respectfully requests that this Court reenter judgment pursuant to Article I, Section 17 of the Texas Constitution, including pre- and post-judgment interest and costs.

4. Counsel for Defendant represents that the City of McKinney opposes reentry of judgment pursuant to the Texas Constitution.

DATED: December 3, 2024

Respectfully Submitted,

/s/ Jeffrey Redfern

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